N THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V.RAMANA

WRIT PETITION NO : 31065 OF 1997

Between:

1.Edara Venkatewarlyu son of Peda Kotaiah, 55 yrs,contractor,r/o Nagarjunasagar colony, Sattenapalli,Guntur district.

2Battula Nageswara Rao sonof Kotaiah, 41 yrs, contractor, resident of Irukupalem,Muppala Mandal, Guntur district

3.Lingam Subramanyam sonof Narayana 37 yrs contractor, resident of II nd ward, Sattenapalli, Guntur district.

..... PETITIONERS

AND

1.The Superintending Engineer, ,
Roads & Buildings circle, Guntur, Guntur district

2. The Superintending Engineer, ,
Roads & Buildings circle, Nellore, Nellore district

3.The Superintending Engineer, Panchayatraj dept.,Ongole,
Prakasam district.

Dismissed for default as per Court order dt.5-9-2000 against R2 and R3.

4. The Superintending Engineer, Panchayatraj dept.,Guntur.

5.The Superintending Engineer, Irrigation Circle, Guntur

6.The Executive Engineer, R & B, Markapur, Prakasam district

7.The Executive Engineer, R & B division, Ongole,Prakasam district.

8.The Executive Engineer, R & B division, Narasaraopet,Guntur

9.The Executive Enginer,R & B division,Guntur.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or directions more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in insisting APGST Tax clearance certificate and experience certificate along with the applications for release of tender schedules and at the time of agreements as compliance relating to the works sought to be awarded as illegal, unconstitutional and violative of principles of natural justice and consequently direct the respondents not to insist upon the clearance certificate under APGST Act and experience certificate.

Counsel for the Petitioner: MR.N.VENKATESARA RAO

Counsel for the Respondents: G.P. FOR ROADS & BUILDINGS

The Court made the following:

ORDER

This Writ Petition is filed questioning the action of the respondents in insisting the petitioners to file APGST Tax Clearance Certificate for obtaining Tender Schedules.

This Court while admitting the writ petition granted interim direction in W.P.M.P.No.36388 of 1997, dated
25-11-1997 to receive and consider the Tender Schedules of the petitioners without insisting for APGST clearance certificate or experience certificate.

None appeared for the petitioner. The learned Government Pleader for Roads & Buildings submits that the cause in this Writ Petition does not survive and it has become infructuous.

Accordingly, the Writ Petition is dismissed as having become infructuous. No costs.

31-03-2005.

Hsd

Asst. Registrar

To

1.The Superintending Engineer, ,
Roads & Buildings circle, Guntur, Guntur district

2. The Superintending Engineer, Panchayatraj dept.,Guntur.

3.The Superintending Engineer, Irrigation Circle, Guntur

4.The Executive Engineer, R & B, Markapur, Prakasam district

5.The Executive Engineer, R & B division, Ongole,Prakasam district.

6.The Executive Engineer, R & B division, Narasaraopet,Guntur

7.The Executive Enginer,R & B division,Guntur.

8. 2 CCS to G.P. for Roads and Buildings, High Court buildings, Hyderabad (OUT)

9. 2 CD copies.